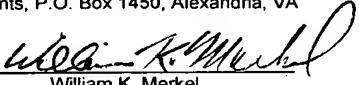


1635

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: June 2, 2005

Signature: 
William K. Merkel

Docket No.: 27373/36638A
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Ralph Weichselbaum et al.

Application No.: 09/964,042

Art Unit: 1635

Filed: September 26, 2001

Examiner: J. E. Angell

For: TREATMENT OF TUMORS WITH
GENETICALLY ENGINEERED HERPES
VIRUS

LISTING OF CLAIMS IN RESPONSE TO
NOTICE OF NON-COMPLIANT AMENDMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

INTRODUCTORY COMMENTS

In response to the Notice of Non-Compliant Amendment mailed May 11, 2005, please enter the following listing of claims having proper identification of deleted text.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 4 of this paper.